

Message Text

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DRAFTED BY EB:CBA:BP:EJRankin:BT

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FM SECSTATE WASHDC

TO AMEMBASSY TAIPEI

INFO AMCONSUL HONG KONG

UNCLAS STATE 065237

E.O. 11652: N/A

TAGS: BDIS, EIND, TW

SUBJECT: TRADE COMPLAINT - PIRATING OF NU MASCA PRODUCTS

REFS: STATE 91661 DTD 5/3/74, TAIPEI 6508 AND PREVIOUS,

TAIPEI A-204 DTD 6/3/70

1. SENATOR BUCKLEY HAS REFERRED TO THE DEPARTMENT A COPY
OF NU MASCA VICE PRESIDENT ALAN FERBER'S LETTER OF MARCH 7
TO ROBERT WALLACE, COMMERCIAL ATTACHE, CONCERNING SUBJECT
COMPLAINT.

2. MR. FERBER STATES IN LETTER TO WALLACE THAT THE COUNTER-
FEIT PRODUCTS CAN BE IDENTIFIED BY:

A) PRINTING OF THE DISPLAY CARDS WHICH IS OUT OF REGISTER
WITH VERY POOR COLOR REPRESENTATION.

B) PLASTIC CASES HOUSING THE PRODUCTS, WHICH ARE OF SUCH
POOR QUALITY THAT THE BACK HINGES AND FRONT CLOSURES
BREAK OFF WITH ONLY SLIGHT PRESSURE EXERTED.

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C) THE COSMETIC PRODUCTS THEMSELVES, I.E. BLUSHING

PRESSED POWDER AND EYE PRESSER POWDER ARE OF EXTREMELY POOR QUALITY, WITH THE LATTER BEING PERFUMED. AS PERFUME IS STRONG SENSITIZING AGENT IT COULD CAUSE SERIOUS EYE DAMAGE.

3. THE FIRM MANUFACTURING THESE PRODUCTS IN TAIWAN IS IDENTIFIED AS CHUANG SHIANG TANG CHEMICAL PTY CO. LTD., 3-1 TONG-FANG VILLAGE, TONG-FANG LI, CHUANG HWA CITY. THIS FIRM HAS UNILATERALLY REGISTERED THE TRADEMARK "NU MASCA" WITHOUT HAVING NEGOTIATED A LICENSING OR OTHER AGREEMENT WITH THE U.S. FIRM.

4. NU MASCA ALLEGES THAT A CANCELLATION TRIAL COULD LAST AS LONG AS SIX MONTHS TO A YEAR. IN VIEW OF THIS AND THE DIRECT AND INDIRECT PROBLEMS BEING CREATED FOR NU MASCA BY THE CHUANG SHIANG, THE EMBASSY IS REQUESTED TO EXPRESS AT ITS DISCRETION TO ROC OFFICIALS THE CONCERN OF THE USG, DRAWING UPON THE INFORMATION CITED IN PARAGRAPHS TWO AND THREE ABOVE. IN THIS CONNECTION THE EMBASSY SHOULD REQUEST THAT EXPEDITIOUS ACTION BE TAKEN TO BRING ABOUT THE DISCONTINUANCE OF THE MANUFACTURE AND EXPORT OF THE IMITATION PRODUCTS BY THE TAIWAN FIRM. EMBASSY IS REQUESTED TO REPORT ON THE RESULTS OF ITS APPROACH TO THE GROC. INGERSOLL

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